

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DALE E. DENOYER,)	4:13CV3200
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
STATE OF SOUTH DAKOTA,)	
STATE OF NEBRASKA, STATE OF)	
MISSOURI, and MINNEHAHA)	
COUNTY - SD,)	
)	
Defendants.)	

This matter is before the court on Plaintiff's Motion to Reconsider the court's Memorandum and Order dated December 17, 2013. (Filing No. [9](#).) Plaintiff argues that he should not be required to pay an initial partial filing fee in this matter because he is a pretrial detainee and the Prison Litigation Reform Act does not apply to pretrial detainees. (*Id.*) Plaintiff is mistaken. The Prison Litigation Reform Act defines a "prisoner" to include someone accused of a crime, and thus, includes pretrial detainees. See [42 U.S.C. § 1997e\(h\)](#). Accordingly,

IT IS THEREFORE ORDERED that: Plaintiff's Motion to Reconsider (Filing No. [9](#)) is denied.

DATED this 6th day of January, 2014.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge

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